

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

<b>IN RE:</b>  <b>TEXAS REIT, LLC</b>  <b>Debtor.</b>	§ § § § § §	<b>CASE NO. 24-10120-smr</b>  <b>CHAPTER 11 (Bankr. WDTX)</b>
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<b>WCW HOUSTON PROPERTIES, LLC</b>  <b>Plaintiffs,</b>  <b>vs.</b>  <b>TEXAS REIT, LLC, ET AL</b>  <b>Defendants,</b>	§ § § § § § § § § §	<b>IN THE DISTRICT COURT</b>  <b>HARRIS COUNTY, TEXAS</b>  <b>151<sup>ST</sup> JUDICIAL DISTRICT</b>  <b>CAUSE NO. 2017-35320</b>
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**NOTICE OF REMOVAL OF CIVIL ACTION  
PURSUANT TO 28 U.S.C. §§ 1334 AND 1452**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

NOW COMES **WCW HOUSTON PROPERTIES, LLC**, (“WCW”) and files this Notice of Removal of Civil Action Pursuant to 28 U.S.C. §§ 1334 and 1452, (the “Removal Petition”) under the provisions of 28 U.S.C. §§ 1334 and 1452, and Rule 9027 of the Bankruptcy Rules. WCW anticipates promptly filing a motion to transfer this case to the United States Bankruptcy Court for the Western District of Texas, Austin Division, where Texas Reit, LLC’s (“Defendant” or “Debtor”) chapter 11 bankruptcy is pending. WCW would show as follows:

1. This removal involves a civil action that was commenced in 2017 in the 151<sup>st</sup> Judicial District Court of Harris County, Texas in Cause No. 2017-CI-35320, styled *WCW Houston Properties, LLC Plaintiff v. Texas Reit, LLC, et al. Defendants*. (“State Court Action”). An index

of the state court file and a copy of the state court file is attached hereto as **Exhibit A**.

2. Venue of this removal action is appropriate in that the proceeding is being removed from the 151<sup>st</sup> Judicial District Court of Harris County, Texas which is located in the Southern District of Texas.

3. The State Court Action may be removed to this Court pursuant to the provisions of 28 U.S.C. §§ 1334 and 1452(a), because the causes of action arise under Title 11, arise in or are related to a case under Title 11. This matter is a core proceeding pursuant to 28 U.S.C. § 157 including 157(b)(2)(K) (“determinations of the validity, extent, or priority of liens”).

4. This notice of removal is filed within thirty (30) of the order granting stay relief to WCW that precluded WCW from proceeding with its claims, and therefore, is timely filed pursuant to the provisions of Rule 9027 of the Bankruptcy Rules.

5. Promptly after the filing of this Removal Petition, pursuant to Rule 9027(c) of the Bankruptcy Rules, WCW will file a Notice to State Court of Removal with the 151<sup>st</sup> Judicial District Court of Harris County, Texas in Cause No. 2017-CI-35320.

6. WCW hereby expressly states that it consents to the entry of final orders or a final judgment by the bankruptcy judge in this proceeding if it is determined that the bankruptcy judge, absent consent of the parties, cannot enter final orders or judgment consistent with Article III of the United States Constitution.

7. All Defendants have been served with process. The names and addresses of the parties of record in this matter are as follows:

ARCHITECTURAL SERVICES INTERNATIONAL INC  
WCW HOUSTON PROPERTIES, LLC  
Attn: Kevin Powers  
2 Houston Center  
909 Fannin, Suite 2630  
Houston, TX 77010

TEXAS REIT LLC  
1001 West Loop South, Suite 700  
Houston, Tx 77027

TEXAS REIT LLC (TEXAS CORPORATION)  
Attn: Servicing Agent  
2500 West Loop South Suite 255  
Houston, Tx 77027

STEPHEN WU  
THE WU FAMILY TRUST  
WU PROPERTY MANAGEMENT  
3657 Briarpark Dr #700  
Houston, TX 77042

RODEXKIA HOLDING LLC  
2221 S Voss Rd  
Houston, TX 77057

LEIM DANG  
9518 Shadow Gate Ln  
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PORTER & POWERS LLC  
2221 S Voss Rd  
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DALIO HOLDINGS I LLC  
DALIO HOLDINGS II LLC  
1675 S. State Street, Suite B  
Dover, De 19901

ROBERT W. BERLETH  
Receiver  
510 Bering Dr  
Houston, TX 77057

WHEREFORE, WCW gives notice that the State Court Action, presently pending in the 151<sup>st</sup> Judicial District Court of Harris County, Texas in Cause No. 2017-CI-35320, has been removed to the United States Bankruptcy Court for the Southern District of Texas, Houston Division.

Dated: July 5, 2024

Respectfully submitted,

/s/ Eric Terry

**Eric Terry**

Texas Bar No. 00794729

**Tom A. Howley**

Texas Bar No. 24010115

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-and-

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***Counsel to WCW Houston Properties, LLC***

**CERTIFICATE OF SERVICE**

I hereby certify that true and correct copy of the above and foregoing (without exhibit A) was sent on this 5th day of July 2024 via U.S. First Class Mail to:

/s/ Eric Terry

ARCHITECTURAL SERVICES INTERNATIONAL INC  
WCW HOUSTON PROPERTIES, LLC

Attn: Kevin Powers  
2 Houston Center  
909 Fannin, Suite 2630  
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